

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ALEXANDER A. GEORGE,

Plaintiff,

vs.

EDWARD L. WINTROUB,

Defendant.

**8:23CV338**

**AMENDED ORDER**

This Court's local rules provide that, if a motion requires the Court to consider any factual matters not stated in the pleadings, a party supporting or opposing the motion must support the factual assertion with evidentiary materials. A party must also identify and authenticate any documents offered as evidence with an affidavit. NECivR. 7.1(a)(2) or (b)(2).

On September 24, 2024, Defendant Edward Wintroub filed a motion to compel seeking various discovery responses. Filing No. 35. Upon review of Defendant's motion, the undersigned finds he did not submit evidence in accordance with the applicable rules. Namely, there is no affidavit identifying or authenticating his attached exhibits and some of the documents are unreadable.

Accordingly,

IT IS ORDERED:

1. On or before November 26, 2024, Defendant shall file and serve evidentiary materials in support of his motion to compel in accordance with NECivR. 7.1.

2. On or before December 3, 2024, Plaintiff may file and serve evidentiary materials in opposition to Defendant's motion to compel.
3. If either party fails to timely comply with this Order, the Court will rule on the pending motion without considering evidence.

Dated this 20th day of November, 2024.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge